

Wetlands Bureau Decision Report

Decisions Taken
10/31/2005 to 11/06/2005

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 20 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Brian Fowler, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2005-00193

MORRISON REALTY LLC

SANBORNTON Unnamed Wetland

Requested Action:

Dredge and fill 13,625 square feet of palustrine forested wetland, impacting 100 linear feet along 50 linear feet of perennial stream and 110 linear feet of intermittent streams for upgrade of an existing road and driveway crossings in the subdivision of 88 acres into 9 single family residential lots. Mitigate for the proposed impacts by preserving 13.05 acres by Warranty Deed granted to the Sanbornton Conservation Commission.

Conservation Commission/Staff Comments:

The Sanbornton Conservation Commission agreed to receive the gift of land for mitigation.

APPROVE PERMIT:

Dredge and fill 13,625 square feet of palustrine forested wetland, impacting 100 linear feet along 50 linear feet of perennial stream and 110 linear feet of intermittent streams for upgrade of an existing road and driveway crossings in the subdivision of 88 acres into 9 single family residential lots. Mitigate for the proposed impacts by preserving 13.05 acres by Warranty Deed granted to the Sanbornton Conservation Commission.

With Conditions:

1. All work shall be in accordance with plans by MJS Engineering PC dated May 16, 2005, and revised through August 3, 2005 as received by the Department on August 11, 2005 and Subdivision Plans by Central Land Surveying dated August 4, 2005, as received by the Department on August 11, 2005.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
7. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, NH to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
8. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
9. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
10. Work shall be done during low flow.
11. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
12. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
13. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
14. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
15. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low

flow., High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.

16. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.

17. Temporary cofferdams shall be entirely removed immediately following construction.

18. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

19. Proper headwalls shall be constructed within seven days of culvert installation.

20. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

21. Seed mix within the wetlands areas shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers specifications. The receipt and contents of the wetland mix shall be supplied to NHDES within 10 days of application.

22. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

23. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

24. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

25. Silt fencing must be removed once the area is stabilized.

26. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

MITIGATION CONDITIONS

27. This permit is contingent upon the preservation of 13.05 acres, identified as Conservation Area on the approved Subdivision Plans. The conservation land area, which includes 3.49 acres of wetlands and approximately 9.33 acres of contiguous upland buffer, shall be conveyed to The Town of Sanbornton by Warranty Deed and be under the stewardship of the Sanbornton Conservation Commission.

28. The restrictions to be placed on the open space/preservation areas, as outlined in the Warranty Deed granted to the Town of Sanbornton shall be written to run with the land, and both existing and future property owners shall be subject to these restrictions.

29. A plan providing the boundaries of the preservation lot and a stewardship plan shall be submitted to DES Wetlands Bureau for review prior to recordation with the Belknap County Registry of Deeds.

30. A copy of the recording of the deed, stewardship plan, and preservation lot plan, from the Belknap County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.

31. The open space/preservation area boundaries shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to the start of construction.

32. Signs to indicate the location of and restrictions on the preservation areas shall be posted no further than every 150 feet along the boundary of the conservation areas prior to construction.

33. The logging activities in the open space/preservation area shall be severely limited by the Warranty Deed.

34. There shall be no removal of the existing vegetative undergrowth within the preservation area and clear cut logging, the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.

35. Activities in contravention of the Warranty Deed shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(i); Projects that alter the course of or disturb 200 or more linear feet of an intermittent or perennial nontidal stream or river channel or its banks.

2. The wetlands must be crossed in order to access the buildable uplands within the lot.

3. The Town of Sanbornton is requiring the upgrade of Mountain Road from a class 6 Road to a class 5 Road.

4. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

5. There will be no vernal pools impacted by this project. Two vernal pools identified on the site are proposed within the easement area. The third pool is on lot 3, and is not proposed to be impacted.

7. The majority of the wetlands proposed to be impacted by the project have been created or enlarged by roadside drainage or have

been created as a result of prior logging activity on the site.

8. The crossing over the perennial stream is the replacement and extension of an existing culvert. The proposed culvert is an improvement over the existing as it will be an open bottom structure, where there is currently a full culvert at this location.

9. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

10. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.

11. The Abutter located at Sanbornton tax map 9, lot 2, is concerned with increased water flows on their property and culvert sizing under Mountain Road. The Applicant has applied for and received an Alteration of Terrain permit WPS-7302, which addressed this information.

12. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of the wetland ecosystem.

13. The project will provide storm water detention and will maintain the natural flow paths on the site.

14. The applicant has provided a function and value assessment of the wetlands on site, illustrating that the preserved, sections of the wetland have higher functions and values, are natural wetlands and were less degraded over time than the impacted man made sections of the wetlands.

15. The applicant has provided 13.1 acres of land for preservation in accordance with the mitigation rules only 3.127 acres of upland buffer must be protected.

16. The mitigation proposal submitted to DES exceeds the mitigation compensation ratios for upland buffer preservation as required by Rule Wt 803.05, Table Wt 800-1.

17. The perennial stream and approximately a 100 foot corridor of upland will be preserved in accordance with the proposed mitigation for this project.

18. The applicant has protected a 150 foot corridor along the perennial stream at the request of DES and in accordance with the Mitigation Rules. This is an attempt to maintain the wildlife corridor through the site.

19. The applicant has provided mitigation in accordance with Administrative Rules Chapters Wt 300 and Wt 800. This mitigation specifically entails preservation of 13.05 acres of upland buffer on site.

20. The wetlands on the preservation site are palustrine forested wetlands with two vernal pools and an associated perennial stream. These wetlands have greater functions and values than those of the wetlands lost with the construction of this project.

2005-00381 OLD GREENFIELD RD R728 LLC
PETERBOROUGH Bogle Brook

Conservation Commission/Staff Comments:

The conservation commission requests a hydrologic study be done to clarify the appropriate sizing for the proposed crossing of this stream. Additional concerns have been made with regards to the existing bank under cuts and the high flow elevations noted during spring runoff in the associated flood plain.

Inspection Date: 05/04/2005 by Jeffrey D Blecharczyk

With Findings:

1. A request for additional information dated May 11, 2005, addressed to the applicant or agent of record, clearly identified changes made to RSA 482-A:3 in 2003, requiring the applicant to submit additional information to DES within 120 days of the request.

2. Pursuant to RSA 482-A, XIV (b), if the requested additional information is not received by DES within 120 days of the request, DES shall deny the application.

3. DES did not receive the requested additional information within the 120 days and therefore the application has been denied.

2005-00430 MIRASOLO, CHRISTOPHER
MILTON Milton Pond

Requested Action:

Applicant requests to construct a 65 ft long retaining wall on 90 ft of frontage on the Salmon Falls River, Milton.

Conservation Commission/Staff Comments:

Con Com submitted comments about the need and lack of undercutting, and no vegetation

DENY PERMIT:

Applicant requests to construct a 65 ft long retaining wall on 90 ft of frontage on the Salmon Falls River, Milton.

With Findings:

Standards for Approval

1. In accordance with RSA 482-A:3, Excavating and Dredging Permits, "[n]o person shall excavate, remove, fill, dredge or construct any structures in or on any bank, flat, marsh, or swamp, or in an adjacent to any waters of the state without a permit from the department."
2. This project is classified as a minor impact per Rule Wt 304.03(I), projects that disturb less than 200 linear feet or a perennial stream.
3. In accordance with RSA 483-B:3, State and local permits for work within the protected Shoreland shall be issued only when consistent with the policies of this chapter.
4. In accordance with Rule Wt 302.03 potential impacts shall be avoided to the maximum extent practicable.
5. In accordance with Rule Wt 404.01 shoreline stabilization shall be by the least intrusive but practical method.
6. In accordance with Rule Wt 404.03 natural vegetation shall be left intact to the maximum extent possible. Unstable banks shall be seeded, and replanted with native, non-invasive trees and shrubs.
7. In accordance with Rule Wt 404.05 walls shall only be permitted where lack of space make alternative stabilization methods impractical.
8. In accordance with Rule Wt 304.04, projects shall be located at least 20 from property lines unless authorized, in writing, by the affected abutter.

Findings of Fact

9. On March 4, 2005, the Wetlands Bureau received an application for impacts, on the lot identified as Milton tax map 38, lot 89,(the "Lot") to construct a retaining wall on the frontage on Milton Three Ponds.
10. On May 20, 2005, the Bureau sent a Request for More Information Letter requesting the applicant demonstrate the need to impact the surface waters, provide evidence that the proposed wall was the least intrusive method of bank stabilization, submit plans showing the planting of vegetation to stabilize the frontage, and submit a waiver of the 20 setback from the affected abutter.

Ruling in Support of the Decision

11. The applicant has failed to submit evidence of the need to impact the shoreline as requested in the Request for More Information letter dated May 20, 2005.
12. The applicant has failed to submit a letter from the affected abutter for work with the 20 ft setback pursuant to Rule Wt 304.04.
13. The applicant has failed to submit the information addressing the need to construct a wall on the frontage required pursuant to Wt 404.05.
14. The applicant has failed to submit plans showing the least impacting alternative pursuant to Wt 404.01
15. The applicant has failed to submit the information requested in the Request for More Information letter dated May 20, 2005.

2005-00447

HILLSBOROUGH WATER & SEWER COMMISSION, TOWN OF HIL

HILLSBOROUGH Unnamed Wetland

Requested Action:

Temporarily impact a maximum of 75,000 square feet of emergent forested and scrub shrub wetland and the bed and banks of seasonal streams and two perennial streams for the replacement of a municipal water line.

Conservation Commission/Staff Comments:

The Conservation Commission never commented on this application.

Inspection Date: 12/03/2004 by Jocelyn S Degler

APPROVE PERMIT:

Temporarily impact a maximum of 75,000 square feet of emergent forested and scrub shrub wetland and the bed and banks of seasonal streams and two perennial streams for the replacement of a municipal water line.

With Conditions:

1. All work shall be in accordance with plans by Dufresne-Henry Inc dated August 2005 as received by the Department on August 5, 2006.
2. Any further alteration of areas within the Right-of-Way that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Trench plugs shall be installed in accordance with standard construction practices.
4. The applicant shall coordinate with the DES Watershed Management Bureau's Water Quality Planning Section.
5. The applicant shall notify in writing the DES Wetlands Bureau, the Hillsborough Conservation Commission of their intention to commence construction no less than five (5) business days prior to the commencement of construction and prior to crossing the Beaver impoundment and the perennial stream at crossing number 11.
6. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and depict temporary siltation/erosion/turbidity control measures to be implemented.
7. Work shall be done during annual low flow conditions and work within cold water fisheries shall occur during the months of May through September. No in-stream work in cold water fisheries shall occur after October 1 unless a waiver of this condition is issued by the DES Wetlands Bureau in consultation with the NH Department of Fish and Game.
8. All work within flowing streams shall be conducted in the dry.
9. Construction equipment shall not be located within surface waters.
10. The equipment crossing of perennial streams shall be in place for no more than 7 days.
11. All equipment crossings to be installed in dry channels shall be in place for no more than 30 days.
12. All in-stream work shall be conducted during low flow conditions and in a manner so as to minimize turbidity.
13. Spoils may not be temporarily side-cast into stream channels even if they are currently under dry conditions.
14. All in-stream work shall be conducted in a manner so as to minimize the duration of construction in the watercourse. The DES Wetlands Bureau shall be notified in writing where in-stream construction exceeds 48 continuous hours.
15. The Permittee shall monitor the weather and will not commence work within flowing water, including the installation of cofferdams, when rain is in the forecast.
16. Temporary cofferdams shall be entirely removed immediately following construction within the impact area.
17. A qualified professional shall verify that the wetlands to be impacted by construction of the pipeline are labeled appropriately in the field. Wetlands shall be re-flagged as necessary during pre-construction preparation in accordance with the United States Army Corps of Engineers Wetlands Delineation Manual, Technical Report Y-87-1.
18. Construction shall be monitored by an environmental inspector (i.e., qualified wetland professional, erosion control specialist, or professional engineer) to ensure that appropriate protective measures are properly implemented, including those outlined in the plans and documents supporting this permit application and the conditions of this authorization. The Wetlands Bureau shall be notified in writing of the environmental inspector prior to the start of work and if there is a change of status during the project.
19. Weekly monitoring reports prepared by the environmental inspector shall be submitted to the DES Wetlands Bureau. These reports shall include photographic documentation of the construction and stabilization efforts and a brief description of the progress of construction.
20. The applicant shall notify DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
21. Construction workspace shall be limited to the construction right-of-way as depicted on the approved plans.
22. Orange construction fencing shall be placed along wetland boundaries when wetlands are within 25 feet of the proposed construction workspace to prevent accidental encroachment on wetlands.
23. Appropriate siltation/erosion/turbidity controls shall be in place prior to grubbing, shall be maintained during construction, and

shall remain until the area is stabilized. Silt fence shall be removed once vegetation has reached 85% coverage.

24. Any clearing required in utility line rights-of-way shall be in accordance with the "Best Management Practices for Erosion Control on Timber Harvesting Operations in New Hampshire." Timber, slash and/or chips shall be removed from wetland areas and shall not be buried in wetlands.

25. All efforts shall be made to fell trees away from wetland resource areas. If a tree should fall into a jurisdictional area it shall be removed immediately.

26. Temporary crossings of surface waters for the purposes of land clearing shall utilize crossing devices in accordance with the "Best Management Practices for Erosion Control on Timber Harvesting Operations in New Hampshire" and shall not be constructed in stream channels greater than 10 feet wide.

27. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during pipeline construction and areas cleared of vegetation shall be revegetated as quickly as possible.

28. The construction right-of-way shall have vegetation cut to grade and protected with geotextile fabric or similar.

29. Timber or natural fiber mats, or corduroy, shall be used to stabilize the right-of-way in wetlands. These materials shall be entirely removed from wetlands during restoration.

30. Dewatering of work areas shall be discharged to sediment basins located in uplands and lined with hay bales or other acceptable sediment trapping liners. Dewatering water shall be discharged away from water bodies, on stable surfaces, in a non-erosive manner. Additionally, all turbid trench dewatering discharged within one-hundred (100) feet of any water body shall be discharged through a filter bag.

31. Topsoil in wetlands shall be stripped and segregated from subsoil during construction. Wetland topsoils shall be stockpiled separately from subsoils and shall be restored following backfill.

32. Spoils adjacent to trenching activities within wetlands jurisdiction shall be placed on geotextile fabrics or similar. All spoils not used for trench backfill shall be removed from jurisdiction.

33. The blasting of ledge will be conducted in a manner to limit rock deposition in areas of jurisdiction.

34. Containment of the blasted rock shall be with:

- a. One line of 32" high barrier and a second line of barrier that consists of 8 ft. (h) x 20 ft. (l) trench box(es) or
- b. Two lines of 32" high barrier and an excavated containment area (2'± deep) behind the first line of barrier.

35. Blasted rocks shall be removed between blasts with the exception of large rocks that may require additional blasting or drilling prior to removal.

36. The Applicant shall submit pre and post blast photographs with a legend of view locations where blasted rock has potential to land.

37. A field review shall be coordinated with DES Wetlands Bureau staff following completion of the blasting to review impacts associated with deposited rock.

38. The Applicant shall hire an independent consultant to conduct a post-project environmental assessment of the blasting impacts to areas in DES jurisdiction.

39. If a DES review of the post-project assessment finds that there are significant impacts to jurisdictional areas, The Applicant shall prepare a restoration plan for approval by DES.

40. Blast rock from trench excavation shall be disposed of in the trench or shall be removed from the wetland. Blast rock shall not otherwise be buried or distributed on the surface of wetlands.

41. Mulch within the wetland areas shall be seedless straw. Hay shall not be used.

42. Fertilizers and lyme shall not be used within wetland jurisdiction.

43. Wetlands shall be restored to their pre-construction conditions within the right-of-way, including restoration of original grades, within 10 days of backfill.

44. The permittee shall attempt to control invasive, weedy species as listed by the NH Department of Agriculture, by measures agreed upon by the Wetlands Bureau.

45. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

46. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering jurisdictional areas. Faulty equipment shall be repaired prior to entering jurisdictional areas.

47. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

48. Banks shall be restored to their original grades and to a stable condition within two days of completion of construction.

49. Areas outside of the permanent right-of-way from which vegetation has been cleared to gain access to the site shall be allowed to revegetate or be replanted with like native species.

50. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or

netting and pinning on slopes steeper than 3:1.

51. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

52. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

53. Silt fencing must be removed once the area is stabilized.

54. The Environmental Inspector, will be responsible for post-construction monitoring and ensuring that the impact areas are restored in accordance with the approved plans. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary.

55. A summary post-construction report documenting the status of the restored streambed and banks, and wetland restoration shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

56. The right-of-way shall be monitored and a written report documenting its condition shall be submitted to the Wetlands Bureau by July 15 of the year following construction. The construction report shall include photographic documentation. The Wetlands Bureau shall require subsequent monitoring and may require corrective measures if the right-of-way is not adequately stabilized and restored.

57. Wetland restoration shall not be considered successful if sites are newly invaded by nuisance species or invasive species during the first full growing season following the completion of construction. The applicant shall work with DES to attempt to eradicate nuisance species newly found along the pipeline right-of-way during this same period.

58. The applicant shall work to prohibit the use of the Right-of-Way by motorized vehicles

59. Wetland restoration of temporary impact areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or they shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(c), as the project involves alteration of nontidal wetlands, nontidal surface waters, and banks adjacent to nontidal surface waters in excess of 20,000 square feet in the aggregate.

2. The need for the proposed impacts has been demonstrated by the applicant per Rule Wt 302.01.

3. The existing pipeline is nearly 100-years old, the pipes are corroded and leakage has led to decreased water supply.

4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Wt 302.03.

5. The location of the proposed waterline is within the existing recorded waterline easements.

6. The wetland impacts are necessary to maintain positive hydraulic pressure to the existing Bible Hill Reservoir.

7. Where possible impact areas have been located within the existing logging road to minimize the impacts on the wetland systems.

8. The applicant has demonstrated by plan and example that each factor listed in Rule Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.

9. DES Staff conducted a field inspection of the proposed project on December 3, 2004. The field inspection determined that areas of proposed jurisdictional impacts are unavoidable and the more sensitive areas have been avoided when at all possible.

10. The public hearing is waived with the finding that project impacts will not significantly impair the resources of these wetland ecosystems nor the Riverine Systems.

11. All proposed impacts are temporary in nature and will be restored to preexisting conditions or better.

12. Impacts have been avoided and minimized by reducing the width of the construction right of way within the wetlands, maintaining root systems within wetlands where possible, and limiting time for in-stream work.

13. The project as proposed reduces the amount of impacts to forested areas by utilizing the existing Right-of-Way.

14. The applicant has been required to upgrade these water lines as they are currently at max capacity and are old, degraded and will not allow for growth.

2005-01819 MECTROL INC
SALEM Unnamed Wetland

Requested Action:

Request name change from:

Mectrol, Inc.
9 Northwestern Drive
Salem, NH 03079

to:

Ossobuco, Inc.
20 Northwestern Drive
Salem, NH 03079

Conservation Commission/Staff Comments:

The Salem Conservation Commission initially intervened on the application; then filed a follow-up report stating that they voted to recommend approval of the application.

Inspection Date: 10/28/2005 by Frank D Richardson

APPROVE NAME CHANGE:

Approve name change from:

Mectrol, Inc.
9 Northwestern Drive
Salem, NH 03079

to:

Ossobuco, Inc.
20 Northwestern Drive
Salem, NH 03079

Requested Action:

Dredge and fill 25,120 sq. ft. of previously impacted palustrine forested/scrub-shrub & emergent wetlands to access and develop a lot within the Salem Industrial Park with a building, appurtenant parking, landscaping and drainage structures.

APPROVE PERMIT:

Dredge and fill 25,120 sq. ft. of previously impacted palustrine forested/scrub-shrub & emergent wetlands to access and develop a lot within the Salem Industrial Park with a building, appurtenant parking, landscaping and drainage structures.

With Conditions:

1. All work shall be in accordance with plans by SFC Engineering Partnership, Inc. dated 05/11/2005, as received by the Department on August 08, 2005.
2. This permit is contingent on approval by the DES Site Specific Program.
3. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Pease Field Office in Portsmouth, N.H. to review the conditions of this Wetlands Permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting and the meeting shall be attended by the permittee, the professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for other construction activities.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
10. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(c), alteration of nontidal wetlands in excess of 20,000 sq. ft. in the aggregate.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on October 28, 2005. Field inspection determined this is a previously impacted site which had been approved for dredge and fill for commercial lot development under NH DES Wetlands Permit # 1995-00958. However, the project was not completed and wetlands indicator characteristics redeveloped at the site.
6. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of the remaining palustrine wetland ecosystem in the environs.

2005-01870 PIERSON, JUDSON & SUSAN
MEREDITH Winnisquam Lake

Requested Action:

Repair an existing 24 ft 2 in by 8 ft full crib supported dock and a 26 ft 2 in by 8 ft full crib supported dock supporting a 20 ft 3 in by 30 ft boathouse, remove the center dock from the boathouse and dredge two rocks from inside the boathouse and 6 cy from 325 sq ft of lakebed on 1522 ft of frontage on Lake Winnisquam.

Conservation Commission/Staff Comments:

Con Com has not objections to proposed project

Inspection Date: 10/28/2005 by Dale R Keirstead

APPROVE PERMIT:

Repair an existing 24 ft 2 in by 8 ft full crib supported dock and a 26 ft 2 in by 8 ft full crib supported dock supporting a 20 ft 3 in by 30 ft boathouse, remove the center dock from the boathouse and dredge two rocks from inside the boathouse and 6 cy from 325 sq ft of lakebed on 1522 ft of frontage on Lake Winnisquam.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated July 28, 2005, as received by the Department on August 10, 2005, and faxed letter received on October 28, 2005.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
4. Repair shall maintain existing size, location and configuration except for the boathouse modifications as noted on the approved plan.
5. Appropriate siltation and erosion controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.

9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Construction debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. This permit does not allow for any work to the two wharfs.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a major project per Rule Wt 303.02(d), modification of a docking facility providing 5 or more slips.
2. The applicant has an average of 1522 feet of frontage along Winnisquam Lake.
3. A maximum of 21 slips may be permitted on this frontage per Rule Wt 402.12, Frontage Over 75'.
4. The proposed docking facility will provide 6 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Wt 402.12.
5. Public hearing is waived based on field inspection, by NH DES staff, October 28, 2005, with the finding that the project impacts will not significantly impair the resources of Winnisquam Lake.

-Send to Governor and Executive Council-

MINOR IMPACT PROJECT

**2005-00039 GOODHUE & HAWKINS NAVY YARD
WOLFEBORO Lake Winnepesaukee**

Requested Action:

Improve a gravel surfaced boat launch by installation of a infiltration trench immediately landward of the reference line and install a precast concrete ramp with a total of 1450 sq ft of lakebed and bank impacts on 844 ft of frontage in Wolfeboro on Lake Winnepesaukee.

Conservation Commission/Staff Comments:

Con Com did not sign Exp Application, they submitted comments stating they have no concerns.

Time extension granted to answer remaining MI request until October 28, 2005

APPROVE PERMIT:

Improve a gravel surfaced boat launch by installation of a infiltration trench immediately landward of the reference line and install a precast concrete ramp with a total of 1450 sq ft of lakebed and bank impacts on 844 ft of frontage in Wolfeboro on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by White Mountain Survey dated October 24, 2005 as received by the Department on October 25, 2005.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Work shall be done during draw down.
4. Appropriate siltation/erosion/turbidity controls, including a turbidity curtain, shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
5. Upland and bank areas landward of the boat ramp and the infiltration trench component shall not be disturbed by regrading or filling, to minimize the potential for erosion of materials into Winnepesaukee Lake.
6. There shall be no cutting of trees or removal of any stumps from the bank except for the area within which construction of the ramp will take place.
7. The ramp approach shall be crowned so that drainage is directed away from the slope of the ramp.

8. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
9. The boat ramp shall be utilized indefinitely as publicly available boat access to Lake Winnepesaukee and shall not change in use.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(a), as it exceeds the minimum impact criteria mentioned in Administrative Rule 303.04 (v).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on 5/27/2005. Field inspection determined that the boat launch area improvements including the installation of pre-cast concrete slabs will reduce further erosion from boat propeller wash in the launch area.

2005-01174 COBBLESTONE DEVELOPMENT

EPSOM Unnamed Wetland

Requested Action:

Dredge and fill a total of 9,810 sq. ft. of wetlands (157 total linear ft. of intermittent stream channel), including: impact #1: 1,415 sq. ft. and installation of a 36' x 18" culvert; impact #2: 1,870 sq. ft. and installation of a 68' x 24" culvert; impact #3: 460 sq. ft. for grading/outlet reconstruction; impact #4: 670 sq. ft. to rip rap outlet; impacts #5 & #6: 145 sq. ft. and 210 sq. ft. respectively, for grading; impact #7: 2,560 sq. ft. and installation of a 50' x 18" culvert; and impact #8: 2,480 sq. ft. and installation of a 53' x 18" culvert, for construction of road for a 26 lot subdivision on 96.35 acres.

Conservation Commission/Staff Comments:

Did not report.

APPROVE PERMIT:

Dredge and fill a total of 9,810 sq. ft. of wetlands(157 total linear ft. of intermittent stream channel), including: impact #1: 1,415 sq. ft. and installation of a 36' x 18" culvert; impact #2: 1,870 sq. ft. and installation of a 68' x 24" culvert; impact #3: 460 sq. ft. for grading/outlet reconstruction; impact #4: 670 sq. ft. to rip rap outlet; impacts #5 & #6: 145 sq. ft. and 210 sq. ft. respectively, for grading; impact #7: 2,560 sq. ft. and installation of a 50' x 18" culvert; and impact #8: 2,480 sq. ft. and installation of a 53' x 18" culvert, for construction of road for a 26 lot subdivision on 96.35 acres.

With Conditions:

1. All work shall be in accordance with plans by Joseph M. Wichert, LLS, Inc. dated May 5, 2005 entitled "Dredge and Fill Permit Plan, Subdivision Plan of Hoit Road Estates, Tax Map R10, Lots #23, 23-1 & 23-2, Hoit Road and Lords Mills Road, Epsom NH" as received by the Department on October 24, 2005, including Construction Sequence and Erosion Control Detail; in accordance with plans by Joseph M. Wichert, LLS, Inc. revised October 11, 2005 entitled "Topographic Plan 1, Subdivision Plan of Hoit Road Estates" as received by the Department on October 24, 2005, depicting "Parcel C" and associated drainage easement with abutter Labreque, creating >20' setback to abutter Torresson; and in accordance with plan entitled "General Plan - Hoit Road Estates" by Robert G. Rook, P.E., dated April 15, 2005, as received by the Department on 8/29/2005, depicting culvert size detail and CWS and PE stamps.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. This permit is contingent on approval by the DES Dam Safety Program.
5. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.

6. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
7. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #6 of this approval.
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
10. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
13. Proper headwalls shall be constructed within seven days of culvert installation.
14. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
15. Work shall be done during low flow.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), projects involving less than 20,000 square feet of alteration in the aggregate of non-tidal wetlands, and per Rule Wt 303.03(l), projects that alter less than 200 linear feet of intermittent streams.
 2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01. The crossings proposed are necessary to reach buildable uplands on this property.
 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03. The applicant has confined the crossings to unavoidable and least impacting locations practicable to use the recorded entrance access and to access buildable uplands of the property, and further confined to minimal roadway sideslope grading or outlet protection.
 4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
- An NHI hit was noted in DES screening, however no further response was received by NH Fish & Game Department or Natural Heritage Inventory. A Phase One Archaeological Assessment of the property has been conducted in coordination with NH Division of Historic Resources, which did not result in the identification of a sensitive archaeological site or resource. No comment was received from the Epsom Conservation Commission.
5. The impact associated with this project does not require the applicant to provide additional compensatory mitigation to offset the unavoidable impacts, pursuant to Administrative Rule Wt 302.03(c)(2)b.

2005-01393 HOWARD, PETER
SUNAPEE Lake Sunapee

Requested Action:

Construct a 54 sq ft beach with a rock retaining wall with 4 cu yd of sand, dredge a 618 sq ft area of rock replace an existing rock supported pier with a 6 ft x 67 ft pier on 112 ft of frontage on Lake Sunapee.

Inspection Date: 08/09/2005 by Chris T Brison

APPROVE PERMIT:

Construct a 54 sq ft beach with a rock retaining wall with 4 cu yd of sand, dredge a 618 sq ft area of rock replace an existing rock supported pier with a 6 ft x 67 ft pier on 112 ft of frontage on Lake Sunapee.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction as received by the Department on June 20, 2005.
2. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
3. This permit does not authorize the disposal of dredged material including rocks in deep water.
4. No more than 4 cu yd of sand may be used and all sand shall be located above the normal high water line.
5. Proposed docking facility shall not provide more than 2 boat slips, and further modification may result in dock length reduction.
6. This permit shall be used only once, and does not allow for annual beach replenishment.
7. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
8. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
10. No rocks shall be dredged or deposited within 20 feet of an abutting property line or the imaginary extension of that line into the water.
11. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
12. These shall be the only structures on this water frontage and all portions of the dock shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
13. Post rock removal water depths shall be consistent with the water depths within adjacent areas on the frontage.
14. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(g), removal of less than 20 cu yd of materil from public waters.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a). Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on August 9, 2005. Field inspection determined that this was the least impacting proposal to provide the allotted boatslips for the frontage.
6. The applicant has an average of 112 feet of frontage along Lake Sunapee.
7. A maximum of 2 slips may be permitted on this frontage per Rule Wt 402.12, Frontage Over 75'.
8. The proposed docking facility will provide 2 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Wt 402.12.

2005-01451 MONZIONE, DARLA & PAUL
ALTON Lake Winnepesaukee

Requested Action:

Construct a 170 sq ft perched beach, remove 5.4 cy of rock from 130 sq ft of lakebed and install a 3 ft x 8 ft seasonal walkway to the existing 6 ft x 40 ft seasonal dock on an average of 234 ft of frontage on Lake Winnepesaukee, Alton.

Conservation Commission/Staff Comments:

Con Com recommends denial, wetlands not shown on plan,

APPROVE PERMIT:

Construct a 170 sq ft perched beach, remove 5.4 cy of rock from 130 sq ft of lakebed and install a 3 ft x 8 ft seasonal walkway to the existing 6 ft x 40 ft seasonal dock on an average of 234 ft of frontage on Lake Winnepesaukee, Alton.

With Conditions:

1. All work shall be in accordance with plans by Beckwith Builders dated June 23, 2005, as received by the Department on June

28, 2005, and cross sectional plan dated September 15, 2005, as received by the Department on September 16, 2005, and letter from Beckwith Builders dated October 12, 2005, as received by the Department on October 14, 2005.

2. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
5. No more than 10 cu yd of sand may be used and all sand shall be located above the normal high water line.
6. This permit shall be used only once, and does not allow for annual beach replenishment.
7. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
8. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
9. This permit does not allow for the removal of trees, saplings, shrubs, ground cover beyond the limits of the Comprehensive Shoreland Protection Act, 483-B:9,V(a).
10. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(g), removal of not more than 20 cubic yards of material from public waters.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The plan and information submitted do not indicate any impacts to wetlands on the site.
5. The agent for the applicant submitted information stating the applicant has an average of 468 ft of frontage. Review of the information submitted has found that the applicant has an average frontage of 234 ft.
6. A maximum of 4 boat slips way be approved on 234 ft of frontage per Rule Wt 402.12, Frontage Over 75'.

2005-01765 EMERY, RICHARD
DERRY Big Island Pond

Requested Action:

Repair existing field stone retaining wall on lot with 82 ft of frontage on Big Island Pond.

APPROVE PERMIT:

Repair existing field stone retaining wall on lot with 82 ft of frontage on Big Island Pond.

With Conditions:

1. All work shall be in accordance with plans by Richard Emery dated July 5, 2005, as received by the Department on August 1, 2005.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Work shall be done during drawdown.
5. Retaining wall shall be constructed landward of the shoreline defined by the elevation of normal high water so as not to create land in public water.
6. Existing rocks which have fallen shall be used for repair.
7. Rocks shall not be stockpiled in jurisdiction.
8. Repair shall maintain existing location and configuration.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

10. This permit does not allow for maintenance dredging.
11. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
12. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
13. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
14. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
15. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
16. No stumps shall be removed within 50 feet of the reference line per RSA 483-B (see attached fact sheet).
17. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(k), projects that disturb between 50 and 200 linear feet, measured along the shoreline, of a lake or pond or its bank and do meet the criteria of 303.02.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2005-01889 DESGROSEILLIERS, GARY & KATINKA
CANTERBURY Unnamed Wetland

Requested Action:

Dredge and fill 4000 square feet of palustrine forested wetland including installation of three 15-inch x 30 foot culverts for access to a proposed single family residence.

Conservation Commission/Staff Comments:

The conservation commission did not comment on this application.

APPROVE PERMIT:

Dredge and fill 4000 square feet of palustrine forested wetland including installation of three 15-inch x 30 foot culverts for access to a proposed single family residence.

With Conditions:

1. All work shall be in accordance with plans by Beaver Brook Environmental Consultants dated June 30, 2005, as received by the Department on August 15, 2005.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
4. Work shall be done during periods of non-flow.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h); Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Wt 303.04(f).
2. This is the only way to access the buildable portion of the lot.
3. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
4. The applicant has avoided the perennial stream the more valuable resource on the property.
 - . The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on [date]. Field inspection determined ...

2005-02346 TRANSCANADA HYDRO NORTHEAST INC
PITTSBURG First Connecticut Lake

Requested Action:

Retain a grandfathered 10 ft by 12 ft 3 in seasonal dock accessed by a 4 ft by 16 ft 3 in seasonal dock on 188 ft of frontage providing 3 slips on First Connecticut Lake, Pittsburg.

Conservation Commission/Staff Comments:

NH NHI and NH Fish and Game will not be submitting comments

APPROVE AFTER THE FACT:

Retain a grandfathered 10 ft by 12 ft 3 in seasonal dock accessed by a 4 ft by 16 ft 3 in seasonal dock on 188 ft of frontage providing 3 slips on First Connecticut Lake, Pittsburg.

With Conditions:

1. All work shall be in accordance with plans by David Garcelon Inc. dated February 25, 1975, as received by the Department on September 30, 2005.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
4. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
5. Seasonal pier shall be removed from the lake for the non-boating season.
6. No portion of the pier shall extend more than 26 feet from the shoreline at full lake elevation.
7. Seasonal piers shall be removed for the non-boating season.
8. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d), modification of a docking structure that exceeds Wt 402.01.
2. The applicant has submitted information to the file stating the existing seasonal structure was constructed prior to 1979, and thus

a grandfathered structure.

3. The current configuration is less impacting than the docking structure that could be permitted on the frontage.
4. On October 13, 2005 the Bureau received written notification from the flowage owners that they had no objection to the project as proposed.

MINIMUM IMPACT PROJECT

2004-01881 FLENNIKEN, KEITH & LAURA
HOLDERNESS Little Squam Lake

Requested Action:

Stabilize 227 ft of existing shoreline with a combination of native plantings and the addition of vegetative shoreline stabilization techniques and repair of existing structures as noted on the approved plan dated September 2005 by Zachary Berger Associates on Little Squam Lake, Holderness.

Conservation Commission/Staff Comments:

Con. Com. did not comment on project.

APPROVE PERMIT:

Stabilize 227 ft of existing shoreline with a combination of native plantings and the addition of vegetative shoreline stabilization techniques and repair of existing structures as noted on the approved plan dated September 2005 by Zachary Berger Associates on Little Squam Lake, Holderness.

With Conditions:

1. All work shall be in accordance with plans by Zachary Berger Associates dated September 2005, as received by the Department on October 7, 2005.
2. Area shall be regraded to original contours following completion of work.
3. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Work shall be done during drawdown.
6. This permit for repair and stabilization does not allow for the existing shoreline to be extended lakeward.
7. No more than 10 cubic yards of sand may be used for the restoration of the beach.
8. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(o), projects deemed minimum by the department.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

2005-00442 CICCARONE JR, GERALD
WOLFEBORO Unnamed Wetland

Requested Action:

Dredge and fill 635 square feet of palustrine forested wetland for access to a proposed building site.

Conservation Commission/Staff Comments:

The Conservation Commission has no concerns with this application.

APPROVE PERMIT:

Dredge and fill 635 square feet of palustrine forested wetland for access to a proposed building site.

With Conditions:

1. All work shall be in accordance with plans by Land Tech dated February 2005, and revised through August 12, 2005, as received by the Department on October 5, 2005.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The applicant shall notify in writing the DES Wetlands Bureau, the Conservation Commission of their intention to commence construction no less than five (5) business days prior to the commencement of construction.
5. Work shall be conducted during low water conditions.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f); Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Wt 303.02(k).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2005-00737 WELLS, SANDRA
NORTH SUTTON Unnamed Wetland Drainage Ditch

With Findings:

1. A request for additional information dated June 22, 2005, addressed to the applicant or agent of record, clearly identified changes made to RSA 482-A:3 in 2003, requiring the applicant to submit additional information to DES within 120 days of the request.
2. Pursuant to RSA 482-A, XIV (b), if the requested additional information is not received by DES within 120 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 120 days and therefore the application has been denied.

2005-00819 CAREY, MARY FRANCES
FRANCESTOWN Unnamed Stream

Conservation Commission/Staff Comments:

No comments submitted from the conservation commission as of June 22, 2005.

With Findings:

1. A request for additional information dated June 22, 2005, addressed to the applicant or agent of record, clearly identified changes made to RSA 482-A:3 in 2003, requiring the applicant to submit additional information to DES within 120 days of the request.
2. Pursuant to RSA 482-A, XIV (b), if the requested additional information is not received by DES within 120 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 120 days and therefore the application has been denied.

2005-01626

NANTUCKET INVESTMENTS LLC

GRANTHAM Unnamed Wetland Sawyer Brook

Requested Action:

Dredge and fill approximately 2500 square feet of palustrine forested wetlands including 90 linear feet of intermittent stream for access in the approximate 50 acre subdivision to 8 single family residential lots and 2 open space lots.

Conservation Commission/Staff Comments:

The Grantham Conservation Commission did not comment on this application.

APPROVE PERMIT:

Dredge and fill approximately 2500 square feet of palustrine forested wetlands including 90 linear feet of intermittent stream for access in the approximate 50 acre subdivision to 8 single family residential lots and 2 open space lots.

With Conditions:

1. All work shall be in accordance with plans by CLD Consulting Engineering dated June 2005, as received by the Department on October 24, 2005 and narrative dated October 20, 2005, as received by the department on October 24, 2005.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition # 2 of this approval.
4. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
5. Work shall be done in dry conditions.
6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Culverts shall be laid at original grade.
12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(k), projects that alter the course of or disturb less than 200 linear feet of an intermittent stream.
2. The proposed access from Dunbar Hill Road is the only access to the lot and is needed to access buildable upland.
3. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

4. The applicant provided corrugated steel pipe arch (squash) pipe culverts at the 3 intermittent stream crossings in order to maintain the natural channel width.
5. The applicant has established 2 lots of the 10 lot subdivision as open space.
6. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
7. The applicant has provided evidence that the common drive alternatives to access lots 7 and 8 require additional bank impact east of the intermittent stream, steep grades and/or excessive curves. Also, total wetland impacts of combined drive access is similar to separate drive impacts.
8. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project

2005-01922 FARRELL, SUSAN
ALEXANDRIA Unnamed Stream

Requested Action:

Dredge and fill 175 square feet along 15 linear feet of intermittent stream for driveway access to a proposed single family residence.

APPROVE PERMIT:

Dredge and fill 175 square feet along 15 linear feet of intermittent stream for driveway access to a proposed single family residence.

With Conditions:

1. All work shall be in accordance with plans by Hinds Septic Design Services dated August 8, 2005, as received by the Department on August 16, 2005.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
4. Work shall be done during periods of non-flow.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Mulch within the restoration area shall be straw.
10. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers specifications. The receipt and contents of the wetland mix shall be supplied to NHDES within 10 days of application.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
13. A post-construction report documenting the status of the restored jurisdictional area, including photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(n); Projects that alter the course of or disturb less than 50 linear feet, measured along the thread of the channel, of an intermittent nontidal stream channel or its banks provided construction is performed during periods of non-flow.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2005-02218 **MIDLIN, JOHN**
RINDGE Lake Monomonac

Requested Action:

Replacement of an existing 40-foot retaining wall with no change in height, length, location, or configuration.

APPROVE PERMIT:

Replacement of an existing 40-foot retaining wall with no change in height, length, location, or configuration.

With Conditions:

1. All work shall be in accordance with plans by John Midlin as received by the DES Wetlands Bureau on September 29, 2005 and October 31, 2005.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
4. Replacement shall maintain existing height, location, and configuration.
5. The retaining wall shall be constructed landward of the shoreline defined by the elevation of normal high water so as not to create land in public water.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
9. Faulty equipment shall be repaired prior to entering jurisdictional areas.
10. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
11. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(a), Repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration. If a wall is to be refaced such additional width shall not exceed 6 inches.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01. The existing retaining wall is deteriorated and replacement is necessary to prevent soil erosion.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the DES Wetlands Bureau's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant submitted a "Certification for Grandfathered Shoreline Structures" stating that the existing retaining wall was constructed and installed in 1967 and is grandfathered.
6. The retaining wall is landward of the shoreline defined by the normal high water mark.
7. The material proposed for construction of the new retaining wall will result in an additional width of 4.5 inches.

FORESTRY NOTIFICATION

2005-02571 KENNEDY, MARGARET
TAMWORTH Unnamed Stream

COMPLETE NOTIFICATION:
Tamworth tax map 201, Lot# 57

2005-02573 HILLS, HAROLD
HOLLIS Unnamed Wetland

COMPLETE NOTIFICATION:
Hollis Tax map 3, Lot# 22-4

2005-02574 ASTLE, ALAN
DALTON Unnamed Wetland

COMPLETE NOTIFICATION:
Dalton Tax Map 407, Lot# 1

2005-02624 SCANLAN, ALLAIRE & DEMEYERE, DAVID
PLYMOUTH Unnamed Stream

COMPLETE NOTIFICATION:
Plymouth Tax Map 13, Lot# 1

2005-02626 CONCORD, CITY OF
CONCORD Unnamed Stream

COMPLETE NOTIFICATION:
Concord Tax Map 99, Lot# 32

EXPEDITED MINIMUM

2005-00433 ETZ HAYIM SYNAGOGUE INC
DERRY Unnamed Wetland

Conservation Commission/Staff Comments:
Conservation commission has signed the expedited application.
NHI and NHF&G identified species of concern within the vicinity of the proposed project.

With Findings:

1. A request for additional information dated March 16, 2005, addressed to the applicant or agent of record, clearly identified changes made to RSA 482-A:3 in 2003, requiring the applicant to submit additional information to DES within 120 days of the request.
2. Pursuant to RSA 482-A, XIV (b), if the requested additional information is not received by DES within 120 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 120 days and therefore the application has been denied.

2005-01665 HALLORAN, GERALD
NORTHWOOD Unnamed Wetland

Requested Action:

Dredge and fill 720 square feet of forested wetlands for installation of a 15-inch x 34-foot ADS culvert for access to a single family residence.

Conservation Commission/Staff Comments:

The Northwood Conservation Commission is still not in favor of signing the application. There are concerns regarding the "proposed location of the leach field relative to wetlands mapped on the site being less than the 75'/50 setback required in the ENV-WS 1,000."

NH Fish and Game hit, but no concerns reported.

APPROVE PERMIT:

Dredge and fill 720 square feet of forested wetlands for installation of a 15-inch x 34-foot ADS culvert for access to a single family residence.

With Conditions:

1. All work shall be in accordance with plans by Blue Moon Environmental dated October 24, 2005, as received by the Department on October 27, 2005.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Work shall be done during low flow.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Culverts shall be laid at original grade.
8. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(z), installation of a culvert and associated fill to permit vehicular access to a piece of property for a single family building lot.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The Town of Northwood Conservation Commission is concerned with the proximity of the waste water treatment system to wetlands. Condition #3 of this permit requires approval by the DES Subsurface Systems Bureau, who has jurisdictional authority over waste water treatment systems and their setbacks to wetlands.

2005-02118 BEAULIEU, DENIS
LITTLETON Unnamed Wetland

Requested Action:

Dredge and fill 400 square feet of jurisdictional drainage ditch to install a 18-inch x 40-foot HDPE culvert for driveway access to a single family residence.

APPROVE PERMIT:

Dredge and fill 400 square feet of jurisdictional drainage ditch to install a 18-inch x 40-foot HDPE culvert for driveway access to a single family residence.

With Conditions:

1. All work shall be in accordance with plans by Associated Consulting Engineers dated March 20, 2005 and revised October 24, 2005, as received by the Department on October 27, 2005.
2. Work shall be done during low flow.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. Proper headwalls shall be constructed within seven days of culvert installation.
6. Culverts shall be laid at original grade.
7. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(z), installation of a culvert and associated fill to permit vehicular access to a single family residence.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2005-02124 STREETER, CLIFFORD
SANDWICH Unnamed Wetland

Requested Action:

Dredge and fill approximately 1800 square feet of wetlands (approximately 100 linear feet of intermittent stream) to replace four existing culverts details as follows: replace existing 12-inch x 20-foot culvert with an 18-inch x 20-foot CMP culvert; and replace existing 20-foot stone culvert with a 15-inch x 20-foot CMP culvert; and replace two existing 30-foot crossings each of with a

series of three culverts by installing two box culverts with naturalized bottoms.

Conservation Commission/Staff Comments:

The Sandwich Conservation Commission supports the proposal.

APPROVE PERMIT:

Dredge and fill approximately 1800 square feet of wetlands (approximately 100 linear feet of intermittent stream) to replace four existing culverts details as follows: replace existing 12-inch x 20-foot culvert with an 18-inch x 20-foot CMP culvert; and replace existing 20-foot stone culvert with a 15-inch x 20-foot CMP culvert; and replace two existing 30-foot crossings each of with a series of three culverts by installing two box culverts with naturalized bottoms.

With Conditions:

1. All work shall be in accordance with plans by Forest Land Improvement as received by the Department on October 14, 2005 and October 20, 2005.
2. Work shall be done in dry conditions.
3. There shall be no excavation or operation of construction equipment in flowing water.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. CMP culverts shall be laid at original grade.
8. Box culverts shall be set below grade with the naturalized channel shall be level with the existing grade.
9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
10. Open box culvert stream beds shall be restored with rounded river stone.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(n), projects that alter the course or disturb less than 50 linear feet of intermittent stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2005-02185
HAVERHILL**

HAVERHILL, TOWN OF

Requested Action:

Dredge and fill 800 square feet of wetlands along 50 linear feet of intermittent stream bed and bank to replace existing failing 6-foot x 18-foot culvert with a 6-foot x 40-foot corrugated culvert for road upgrade.

Conservation Commission/Staff Comments:

Fish and Game recommends the use of a bridge or culvert 1.2 x the stream width to provide adequate passage for aquatic species.

APPROVE PERMIT:

Dredge and fill 800 square feet of wetlands along 50 linear feet of intermittent stream bed and bank to replace existing failing 6-foot x 18-foot culvert with a 6-foot x 40-foot corrugated culvert for road upgrade.

With Conditions:

1. All work shall be in accordance with plans by Town of Haverhill Road Agent, Sam Clough as received by the Department on September 19, 2005.
2. Work shall be done in dry conditions.
3. There shall be no excavation or operation of construction equipment in flowing water.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Culverts shall be laid at original grade.
8. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(n), alteration of less than 50 linear feet of an intermittent stream channel.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The Conservation Commission signed this minimum impact application.

2005-02277 NOTTINGHAM COMUNITY CHURCH, GARY HUME
NOTTINGHAM Tributary To North River

Requested Action:

Dredge and fill a total of 1,000 sq. ft. of wetlands (760 sq. ft. and 240 sq. ft.) to replace two existing deteriorated culverts (76' x 12" and 24' x 12") with new culverts of the same size.

Conservation Commission/Staff Comments:

Con. Com. signed expedited application.

APPROVE PERMIT:

Dredge and fill a total of 1,000 sq. ft. of wetlands (760 sq. ft. and 240 sq. ft.) to replace two existing deteriorated culverts (76' x 12" and 24' x 12") with new culverts of the same size.

With Conditions:

1. All work shall be in accordance with plans by the Town of Nottingham dated 9/19/2005, as received by the Department on 10/23/2005.
2. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
3. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
4. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface

Systems Bureau rules.

5. No fill shall be done for lot development.
6. Repair shall maintain existing size, location and configuration.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Culvert outlets shall be properly rip rapped.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This project qualifies as a minimum impact project per Administrative Rule Wt 303.04(x), maintenance or repair of existing culverts.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01. The existing culverts have rusted out and collapsed.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2005-02316 CAHILL, JACQUELINE
NORTH HAMPTON Unnamed Wetland

Requested Action:

Fill 326 square feet of road side drainage ditch for the construction of a 15-foot wide gravel access road to include the installation of a 12-inch by 24-foot culvert for the construction of a wireless telecommunications facility.

Conservation Commission/Staff Comments:

The North Hampton Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Fill 326 square feet of road side drainage ditch for the construction of a 15-foot wide gravel access road to include the installation of a 12-inch by 24-foot culvert for the construction of a wireless telecommunications facility.

With Conditions:

1. All work shall be in accordance with plans by Bay State Design dated January 13, 2005 and revised through May 25, 2005, as received by the Department on September 27, 2005.
2. Record approved plan with conservation easement for each appropriate lot within 10 days from receipt of this decision and submit a certified receipt from the Rockingham County Registry of Deeds to the DES Wetlands Bureau.
3. This permit shall not be effective until it has been recorded with the Rockingham County Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for any other construction related activities.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Proper headwalls shall be constructed within seven days of culvert installation.

7. Work shall be done during low flow conditions.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. DES staff shall be notified in writing prior to commencement of work and upon its completion.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional forested wetland.
2. Per Wt 302.01, the need for the proposed impacts has been demonstrated by the applicant as there are no other places to access the buildable upland.
3. Per Wt 302.03, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction as the crossing will be constructed at the narrowest portion of jurisdictional area.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2005-02320 GELAZAUSKAS, ANNA

HOLLIS Unnamed Wetland

Requested Action:

Dredge and fill approximately 1,211 square feet of scrub/shrub wetlands to construct a common driveway for access to a two lot subdivision. Work will include installation of one wetland crossing consisting of a 15" x 45' culvert (RCP), riprap outlet protection and associated grading.

APPROVE PERMIT:

Dredge and fill approximately 1,211 square feet of scrub/shrub wetlands to construct a common driveway for access to a two lot subdivision. Work will include installation of one wetland crossing consisting of a 15" x 45' culvert (RCP), riprap outlet protection and associated grading.

With Conditions:

1. All work shall be in accordance with plans by Hayner/Swanson, Inc., dated August 29, 2005, as received by the Department on October 31, 2005.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. Work shall be done during low flow.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet in swamps or

wet meadows.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2005-02335 BARRINGTON, TOWN OF
BARRINGTON Unnamed Stream

Requested Action:

Dredge and fill a total of 731 square feet of wetlands and stream to replace an existing 60" x 58' culvert, with additional 2' headwall tie-in extensions, and installation of new headwalls.

Conservation Commission/Staff Comments:

Conservation Commission signed the application.

APPROVE PERMIT:

Dredge and fill a total of 731 square feet of wetlands and stream to replace an existing 60" x 58' culvert, with additional 2' headwall tie-in extensions, and installation of new headwalls.

With Conditions:

1. All work shall be in accordance with plans by Norway Plains Associates Inc. dated 9/27/2005, as received by the Department on 9/30/2005.
2. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
3. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
4. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
5. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
6. No fill shall be done for lot development.
7. No fill shall take place in Atlantic white cedar swamps.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. Proper headwalls shall be constructed within seven days of culvert installation.
13. Culvert outlets shall be properly rip rapped.
14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. Work shall be done during low flow.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(x), maintenance, repair or replacement of existing culverts.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01. The existing culvert is deteriorated and the banks surrounding the outlet are unstable.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2005-02350 PENEZIC, RICHARD
WAKEFIELD Great East Lake

Requested Action:

Repair or replace 80 feet of existing retaining wall in kind on 100 ft of frontage on Great East Lake, Wakefield.

Conservation Commission/Staff Comments:

No Com Com comments by 11/1/05, Con Com did not sign Exp Application
NHI and Fish and Game will not be submitting comments

APPROVE PERMIT:

Repair or replace 80 feet of existing retaining wall in kind on 100 ft of frontage on Great East Lake, Wakefield.

With Conditions:

1. All work shall be in accordance with plans as received by the Department on September 30, 2005.
2. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Repair shall maintain existing size, location and configuration.
7. Retaining wall shall be constructed landward of the shoreline defined by the elevation of normal high water so as not to create land in public water.
8. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(c), repair or replacement of existing retaining walls that is performed in the dry.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

2005-02372 TOMASHEK, EDWARD
DALTON Unnamed Wetland

Requested Action:

Dredge and fill approximately 7679 square feet of scrub-shrub and emergent wetlands to construct a wildlife/firepond.

Conservation Commission/Staff Comments:

Fish and Game hit - no response

Designated River - no response

APPROVE PERMIT:

Dredge and fill approximately 7679 square feet of scrub-shrub and emergent wetlands to construct a wildlife/firepond.

With Conditions:

1. All work shall be in accordance with plans by Watershed and Wildlife, Inc., as received by the Department on October 4, 2005.
2. All work shall be done in the dry or frozen conditions.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. Appropriate erosion, siltation and turbidity controls shall be installed prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Machinery shall not be located within surface waters, where practicable.
6. Machinery shall be staged and refueled in upland areas.
7. Dredged spoils shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Stockpiled dredged material shall be dewatered in upland areas to sedimentation basins lined with erosion and siltation controls to prevent water quality degradation. Dewatering areas must be located at least 20 feet away from jurisdictional areas.
9. Work shall not cause violations (sedimentation and turbidity) of surface water quality standards, in accordance with Env-Ws 1700.
10. Within three calendar days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(p), construction of a pond with less than 20,000 square feet pf wetlands impact.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

TRAILS NOTIFICATION

2005-02582 LAKES REGION CONSERVATION TRUST
WOLFEBORO Unnamed Stream

COMPLETE NOTIFICATION:

Wolfeboro Tax Map 202, 216, 229, Lot# 48, 42, 16

2005-02583 NEWFIELDS, TOWN OF
NEWFIELDS Unnamed Stream

COMPLETE NOTIFICATION:

Newfields Tax Map 205, Lot# 3

2005-02584 EXETER, TOWN OF
EXETER Unnamed Stream

COMPLETE NOTIFICATION:
Exeter Tax Map 10, Lot# 9 & 10

LAKES-SEASONAL DOCK NOTIF

2005-02568 SHERMAN, BARTLETT & JOAN
FITZWILLIAM Sipp Pond

COMPLETE NOTIFICATION:
Fitzwilliam Tax map 42, Lot# 2-89 Sipp Pond

SHORELAND VARIANCE / WAIV

2005-00647 HARDENBERGH REALTY TRUST
WOLFEBORO Lake Winnepesaukee

2005-00766 GOODHUE & HAWKINS NAVY YARD, LLC
WOLFEBORO Lake Winnepesaukee

Requested Action:

Remove 1234 sq ft of impervious surfaces within the 50 ft primary building setback immediately adjacent to surface waters, implement drainage improvements and vegetation plan, upgrade boat washing stations, and construct a new service building with a 992 sq ft partial encroachment within the 50 ft primary building setback to the reference line.

APPROVE PERMIT:

Remove 1234 sq ft of impervious surfaces within the 50 ft primary building setback immediately adjacent to surface waters, implement drainage improvements and vegetation plan, upgrade boat washing stations, and construct a new service building with a 992 sq ft partial encroachment within the 50 ft primary building setback to the reference line.

With Conditions:

1. All work shall be conducted in accordance with Boat Rinsing Wastewater Discharge Registration (DES# 199906034) with coinciding boat washing station plans and building construction plans as received by the department on May 26, 2005.
2. This approval shall not be effective until it has been recorded at the appropriate County Registry of Deeds and a copy of the recorded waiver is sent to the department.
3. Unnecessary removal of vegetation within the shoreland during construction shall be prohibited.
4. Any discharge to surface waters or wetlands shall be prohibited.
5. All planted vegetation shall be native and consistent with surrounding natural vegetation on the property and surrounding

properties. Planting invasive species is strictly prohibited.

6. Adequate erosion controls shall be installed and maintained to sustain optimal stormwater management performance. Erosion controls shall only be removed when site has become completely stable.
7. This approval does not allow lakeward expansion of the primary structure.
8. No open deck or porch constructed shall extend from the nonconforming primary structure more than 12 ft towards the reference line.
9. The contractor/owner responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
10. A copy of this waiver shall be posted on site during construction in a prominent location visible to inspecting personnel.
11. This waiver does not exempt the owner from obtaining any other necessary local, state or federal permits or approvals.
12. The owner shall maintain compliance with all other requirements of the Comprehensive Shoreland Protection Act, RSA 483-B.

With Findings:

1. The existing non-conforming residence is located within the 50 ft primary building setback to Lake Winnepesaukee and therefore fails to conform to the setback restriction set forth in RSA 483-B:9, II, of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming." More nearly conforming "means a proposal for significant changes to the location or size of the existing structures that bring the structures into greater conformity, or a proposal for changes to other aspects of the property, including but not limited to stormwater management, wastewater treatment or traffic volume or flow, or both types of proposal which significantly improve wildlife habitat or resource protection."
3. The applicant has proposed to remove 1234 sq ft of impervious surfaces within the 50 ft primary building setback immediately adjacent to surface waters, implement drainage improvements and vegetation plan, and upgrade boat washing stations, therefore meeting the requirements for a waiver to RSA 483-B:9 as described in RSA 483-B: 11, II.

ROADWAY MAINTENANCE NOTIF

2005-02569 NH DEPT OF TRANSPORTATION
GREENVILLE Unnamed Wetland

2005-02630 NH DEPT OF TRANSPORTATION, DISTRICT ONE
JEFFERSON Unnamed Wetland

2005-02631 NH DEPT OF TRANSPORTATION, DISTRICT ONE
STRATFORD Unnamed Stream

2005-02632 NH DEPT OF TRANSPORTATION, DISTRICT ONE
MONROE Unnamed Stream

PERMIT BY NOTIFICATION

2005-01837 HANSON, RONALD
MIDDLETON Sunrise Lake

Requested Action:

Repair 40 linear feet of existing retaining wall and replenish 140 sq ft of beach along the east portion of 47 ft frontage on Sunrise lake in Middleton.

APPROVE PERMIT:

Repair 40 linear feet of existing retaining wall and replenish 140 sq ft of beach along the east portion of 47 ft frontage on Sunrise lake in Middleton.

With Conditions:

1. All work shall be in accordance with plans by J.S. Yurick dated June 25, 2005, as received by the Department on October 26, 2005.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
3. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
4. No more than 10 cu yd of sand may be used and all sand shall be located above the normal high water line.
5. This permit shall be used only once, and does not allow for annual beach replenishment.
6. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
7. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
8. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(aa), replenishment of sand on a existing beach.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2005-02192 FISHER, TIMOTHY & PRUDENCE
LYME Unnamed Pond

2005-02193 HILL, JOHN
GRAFTON Unnamed Wetland

Requested Action:

Dredge and fill approximately 1000 square feet of forested wetlands to install a 15-inch x 44-foot culvert for driveway access to a single family residence.

PBN IS COMPLETE:

Dredge and fill approximately 1000 square feet of forested wetlands to install a 15-inch x 44-foot culvert for driveway access to a single family residence.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(z), installation of a culvert or bridge and associated fill to permit vehicular access to a single family residence.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2005-02311 ANDERSON, KENNETH & SERENA
NEW DURHAM Merrymeeting Lake

Requested Action:

Repair stone and mortar retaining wall on 100 ft of frontage on Merrymeeting Lake, New Durham

PBN IS COMPLETE:

Repair stone and mortar retaining wall on 100 ft of frontage on Merrymeeting Lake, New Durham

2005-02358 NEMCOVICH, KENNETH
SPRINGFIELD Unnamed Stream

Requested Action:

Dredge and fill approximately 35 linear feet of intermittent stream and 1000 square feet of wetlands to install a 18-inch x 25-foot culvert for access to a single family residence.

APPROVE PERMIT:

Dredge and fill approximately 35 linear feet of intermittent stream and 1000 square feet of wetlands to install a 18-inch x 25-foot culvert for access to a single family residence.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(z), installation of a culvert and associated fill to permit vehicular access to a piece of property for single family residence.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2005-02371 LAKESIDE AT WINNIPESAUKEE ASSOC
ALTON Lake Winnepesaukee

Requested Action:

Replace 5 pilings supporting an existing docking facility on 180 ft of frontage on Lake Winnepesaukee.

PBN IS COMPLETE:

Replace 5 pilings supporting an existing docking facility on 180 ft of frontage on Lake Winnepesaukee.

2005-02396 CARPENTER, RICHARD
MOULTONBOROUGH Lake Kanasatka

Requested Action:

Remove an existing seasonal pier and install a 7 ft x 3 ft concrete pad and a 6 ft x 20 ft seasonal pier on 100 ft of frontage on Lake Kanasatka in Moultonborough.

PBN IS COMPLETE:

Remove an existing seasonal pier and install a 7 ft x 3 ft concrete pad and a 6 ft x 20 ft seasonal pier on 100 ft of frontage on Lake Kanasatka in Moultonborough.

2005-02420 POTTER, DAVID
GILFORD Lake Winnepesaukee

Requested Action:

Replace 2 ice clusters and repair a 16 ft x 30 ft boathouse and associated crib supported piers on 147 ft of frontage on Lake Winnepesaukee, Gilford.

PBN IS COMPLETE:

Replace 2 ice clusters and repair a 16 ft x 30 ft boathouse and associated crib supported piers on 147 ft of frontage on Lake Winnepesaukee, Gilford.

2005-02483 DREW, DONNA
HAMPTON FALLS Unnamed Pond

Requested Action:

Impact a total of 16,000 square feet of an existing man-made pond for maintenance dredging and the in-kind repair of an existing 24-inch by 24-foot culvert on a single family residential lot of 18.44 acres.

Conservation Commission/Staff Comments:

The Hampton Falls Conservation Commission signed the PBN.

PBN IS COMPLETE:

Impact a total of 16,000 square feet of an existing man-made pond for maintenance dredging and the in-kind repair of an existing 24-inch by 24-foot culvert on a single family residential lot of 18.44 acres.

With Findings:

1. NH Natural Heritage Bureau (NHNHB) has record of one state threatened plant species and one endangered plant species within the project vicinity, Large Bur-Reed (Sparganium eurycarpum) and Robust Knotweed (Polygonum robustius) respectively.

NHNHB also has record of one natural community, High salt marsh and related estuarine communities.

2. DES finds that none of the NHNHB identified items will be impacted as a result of this project, as the property is currently fully developed and does not support the listed plant species.

2005-02485 MEAD, JOHN
TUFTONBORO Mirror Lake

Requested Action:

Replace 50 linear ft of timber retaining wall including 6 ft wide steps with 50 linear ft of allen block retaining wall including 6 ft wide steps on 95 ft of frontage of Mirror Lake.

PBN IS COMPLETE:

Replace 50 linear ft of timber retaining wall including 6 ft wide steps with 50 linear ft of allen block retaining wall including 6 ft wide steps on 95 ft of frontage of Mirror Lake.

2005-02486 IRVING, THOMAS
HILLSBOROUGH Unnamed Pond

2005-02495 PISANI, CAROL
HAMPSTEAD Big Island Pond

Requested Action:

Remove stump and repair 35 linear ft of dry laid stone retaining wall on 75 ft of frontage on Big Island Pond in Hampstead.

PBN IS COMPLETE:

Remove stump and repair 35 linear ft of dry laid stone retaining wall on 75 ft of frontage on Big Island Pond in Hampstead.

2005-02497 SAMPSON, SCOT
ALTON Lake Winnepesaukee

Requested Action:

Replace 4 rocks on lakeward end of an existing breakwater and repair a 4 ft 6 in x 39 ft cantilevered pier, a 4 ft x 12 ft walkway and a 10 ft x 20 ft wharf, in kind, on 100 ft of frontage on Sleepers Island, Lake Winnepesaukee.

PBN IS COMPLETE:

Replace 4 rocks on lakeward end of an existing breakwater and repair a 4 ft 6 in x 39 ft cantilevered pier, a 4 ft x 12 ft walkway and a 10 ft x 20 ft wharf, in kind, on 100 ft of frontage on Sleepers Island, Lake Winnepesaukee.

2005-02531 BALLOU, DONAL & BETTY
NEW LONDON Pleasant Lake

Requested Action:

Remove an existing 4 ft x 20 ft seasonal pier and install a 6 ft x 2 ft x 2 ft concrete pad and 6 ft x 30 ft hinged pier on 150 ft of

frontage on Pleasant Lake, in New London.

PBN IS COMPLETE:

Remove an existing 4 ft x 20 ft seasonal pier and install a 6 ft x 2 ft x 2 ft concrete pad and 6 ft x 30 ft hinged pier on 150 ft of frontage on Pleasant Lake, in New London.

2005-02533 SHULTZ, KEVIN
FARMINGTON Unnamed Stream

Requested Action:

Dredge and fill 850 sq. ft. of wetlands to install a 40' x 36" culvert for construction of a driveway crossing to a single family house lot.

Conservation Commission/Staff Comments:

Conservation Commission did not sign application.

COMPLETE NOTIFICATION:

Dredge and fill 850 sq. ft. of wetlands to install a 40' x 36" culvert for construction of a driveway crossing to a single family house lot.

2005-02545 ROST, BRADFORD & KAREN
MEREDITH Unnamed Wetland

Requested Action:

Dredge and fill 390 square feet to install a 15-inch x 20 foot culvert in an intermittent stream for access to a proposed single family residence.

COMPLETE NOTIFICATION:

Dredge and fill 390 square feet to install a 15-inch x 20 foot culvert in an intermittent stream for access to a proposed single family residence.

2005-02556 ORMES, CYNTHIA
LACONIA Lake Winnepesaukee

Requested Action:

Repair an existing 17 ft 9 in x 25 ft 6 in boathouse and associated piling supported docking, in kind, on 65 ft of frontage on Paugus bay.

PBN IS COMPLETE:

Repair an existing 17 ft 9 in x 25 ft 6 in boathouse and associated piling supported docking, in kind, on 65 ft of frontage on Paugus bay.

2005-02575 TEWKSBURY, THARON & LUCILLE
UNITY Unnamed Wetland

Requested Action:

Dredge and fill 1,198 square feet of palustrine scrub-shrub wetland and intermittent stream to install two (2), 18" x 30' culverts to construct an access road for a single family building lot.

PBN IS COMPLETE:

Dredge and fill 1,198 square feet of palustrine scrub-shrub wetland and intermittent stream to install two (2), 18" x 30' culverts to construct an access road for a single family building lot.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(z), Installation of a culvert or bridge and associated fill to permit vehicular access to a piece of property for a single family building lot or for noncommercial recreational uses.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2005-02579 TESSIER, ROBERT
STRAFFORD Unnamed Stream

Requested Action:

Dredge and fill 100 sq. ft. of wetlands to install a 25' x 12" culvert to construct a driveway crossing to a single family house lot.

Conservation Commission/Staff Comments:

Conservation Commission did not sign.

PBN IS COMPLETE:

Dredge and fill 100 sq. ft. of wetlands to install a 25' x 12" culvert to construct a driveway crossing to a single family house lot.

2005-02596 CHANCE, SUSANNAH
GILMANTON Unnamed Stream

Requested Action:

Dredge and fill 64 square feet to replace existing failed 30-inch x 20 foot culvert in kind and in place.

PBN IS COMPLETE:

Dredge and fill 64 square feet to replace existing failed 30-inch x 20 foot culvert in kind and in place.

2005-02610 GARLAND, JAMES & TONI
PETERBOROUGH Unnamed Stream

Requested Action:

Install 15" culvert and residential utility line and fill 540 square feet of wetlands for residential access.

PBN IS COMPLETE:

Install 15" culvert and residential utility line and fill 540 square feet of wetlands for residential access.

2005-02620 LAKE WINNISQUAM POINT ASSOC
LACONIA Lake Winnisquam

2005-02622 CURRAN, A RANGER
KEENE Unnamed Wetland